

luncheons. We expect to have additional items to present to the Senate upon our return.

I again call attention of Members to the report of the Parliamentarian on those amendments that are subject to rule XVI. It will be my intention when we return to ask that the Chair rule that rule XVI applies to those amendments, and that they be declared out of order.

# RECESS

Mr. STEVENS. Mr. President, pursuant to the previous order, I ask that we stand in recess.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001—Continued

### AMENDMENT NO. 3308

Mr. STEVENS. Mr. President, I believe the pending business is the Boxer amendment, with 4 minutes equally divided.

The PRESIDING OFFICER. Four minutes equally divided.

Mr. STEVENS. Senator BOXER.

Mrs. BOXER. I thank the chairman for his graciousness. I urge my colleagues to vote affirmatively on this. I hope we can get a very overwhelming vote.

My amendment simply protects children at the Department of Defense housing or playgrounds, day-care facilities, schools, from poisonous and toxic materials. It is consistent with the DOD guidelines. Frankly, it seems to me we should all support it. Basically, the guidelines say they will stay away from these poisons when they do routine spraying.

We ought to codify this because there is a little bit of ambiguity. I am very proud of the Department of Defense in so many areas that deal with children. For example, child care centers at the Department of Defense are the best in the world, truly, and certainly are a model for so many other child care centers in our country. However, it did take some horrible mistakes before that was straightened out. We don't want to have a horrible mistake, a mistaken spraying. We want to make sure it is done right.

I am very pleased that the EPA is supporting this amendment. They helped with it. We spoke a number of times with Colonel Driggers who said he believed this was, in fact, consistent with the DOD written guidelines. It could be that they would rather not have us do this. I think it would be good for this Senate to go on record stating that for routine spraying against pests in these areas, let's use the less toxic materials. If there is an emergency, an outbreak of something

horrible such as encephalitis, we make room for that. We certainly have a clear exception in emergency situations. We are talking about routine situations.

We have seen Administrator Brown, with bipartisan support, ban some of the very harsh pesticides. I think we can work very well together in a bipartisan way to stop the routine spraying of these dangerous toxins.

Mr. STEVENS. Mr. President, last evening I did offer to accept this amendment. It does have some problems, and in conference we will try to work out those problems.

I do believe that the use of pesticides approved by the U.S. Environmental Protection Agency should be assured so that military children and those on military bases can have the same protections, protecting the food supplies of the commissaries and populated facilities on a military base. I think the preparation of homes, for instance, before they are occupied certainly requires the type of spraying approved by the EPA.

We will make certain there is full protection for those in the military. As I understand it, this is an amendment that is designed to prevent the use of the pesticides that would not be subject to approval by the EPA. I intend to support the amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) is necessary absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 14, as follows:

[Rollcall Vote No. 124 Leg.]

### YEAS—84

Abraham	Dorgan	Lincoln
Akaka	Durbin	Lott
Ashcroft	Edwards	Lugar
Baucus	Feingold	Mack
Bayh	Feinstein	McCain
Bennett	Fitzgerald	McConnell
Biden	Frist	Mikulski
Bingaman	Gorton	Moynihan
Boxer	Graham	Murkowski
Breaux	Grams	Murray
Brownback	Grassley	Reed
Bryan	Gregg	Reid
Bunning	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Roth
Campbell	Hollings	Santorum
Chafee, L.	Hutchinson	Sarbanes
Cleland	Inouye	Schumer
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thurmond
Daschle	Lautenberg	Torricelli
DeWine	Leahy	Warner
Dodd	Levin	Wellstone
Domenici	Lieberman	Wyden

### NAYS—14

Allard	Hutchinson	Sessions
Bond	Inhofe	Smith (NH)
Enzi	Kyl	Thompson
Gramm	Landrieu	Voinovich
Hagel	Nickles	

### NOT VOTING—2

Rockefeller	Specter
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The amendment (No. 3308) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, we are awaiting the offering of other amendments on the Defense appropriations bill. There is no order, as I understand it, agreed upon between the leaders for another amendment to be offered at this time. So for any Senator who has an amendment to this bill, this is a good time to come and offer the amendment. We can have a debate on it.

The leadership has announced—at least the Republican leader has announced he wants to complete action on this bill tonight. To do that, we are going to have to make progress with the amendments. There are several pending amendments on both sides. So we urge Senators to come and cooperate with the managers of the bill so we can dispose of this legislation by the end of this session tonight.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I say to my friend, we have done a pretty good job on our side of the aisle. We literally only have a handful of amendments left. I think you should spend more time urging Members on your side of the aisle. We only have one amendment that is going to take any amount of time. The Senator offering that amendment has been tied up in hearings all day and has been unavailable.

Senator BOXER has offered three amendments. She has said she will be back in an hour to offer her last one. As I say, we have just a few amendments. So I think if you can get rid of a lot on your side, we might be able to make some more progress. We are literally down to maybe seven or eight amendments on our side.

Mr. COCHRAN. Mr. President, I thank the Senator for his explanation and his cooperation with the managers in the handling of the bill. We are equal opportunity expeditors here. We want to expedite action on both sides of the aisle. I am sure the Senator understands that.

So we are working hard to try to get Senators to come to the floor now to continue the presentation of amendments, if they have them, on the bill.

In the meantime, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.